



UNITED STATES MARINE CORPS
MARINE CORPS RECRUIT DEPOT/WESTERN RECRUITING REGION
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SAN DIEGO, CALIFORNIA 92140-5001

DepO 5812.1D
1A

JUL 18 2002

DEPOT ORDER 5812.1D

From: Commanding General
To: Distribution List

Subj: DESIGNATION AS OFFICER-IN-CHARGE FOR PURPOSES OF EXERCISING ARTICLE 15, UCMJ AUTHORITY

Ref: (a) JAGINST 5800.7C (JAGMAN)
(b) Article 15, UCMJ
(c) Manual for Courts-Martial, United States, 2000
(d) U.S. Navy Regulations, 1990

1. Situation. To update and list billets affected by this Order.
2. Cancellation. DepO 5812.1C.
3. Mission. To promulgate designations as Officer-in-Charge (OIC) for the purpose of administering Article 15, Uniform Code of Military Justice (UCMJ) punishment.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent

(a) To grant selected OICs the authority to impose NJP upon members of their command.

(b) References (a) through (d) will be the guiding influence in administering Article 15, UCMJ punishment.

(2) Concept of Operations

(a) Who May Impose

1 Officers-in-Charge who are specifically detailed as such by T/O, Commanding General's orders, or other such authority, may impose punishment on enlisted members of their units only.

2 The power to impose punishment is an aspect of command; rank alone does not confer NJP authority.

(b) Delegation of Authority. If the second-in-command assumes command, he or she also assumes NJP authority. This is succession to command, not a delegation of authority.

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(c) Punishable Offenses

1 Minor offenses under the UCMJ are properly punishable at NJP. What constitutes a "minor offense" depends on the facts and circumstances surrounding its commission. Commanding Officers and Officers in Charge have wide discretion in determining which offenses are "minor."

2 The object of NJP is to quickly correct minor offenses without resorting to trial by court-martial.

b. Subordinate Element Missions

(1) Exercising the authority granted under reference (a), section 0106b, the Director, Recruiters School and Director of Drill Instructor School are each designated as an OIC for the purpose of exercising Article 15, UCMJ authority.

(2) The above designated OICs should thoroughly familiarize themselves with sections 0106-0119 of reference (a), and references (b), (c), and (d).

(3) A Unit Punishment Book binder shall be maintained for each organization where the officer-in-charge imposes NJP under Article 15, UCMJ. Those organizations using consolidated administration (e.g., a battalion) may maintain a single unit punishment book binder. Each Article 15, UCMJ, jurisdiction should be maintained separately by means of dividers (e.g., battalion, Co A, Co B).

5. Administration and Logistics. Appeals.

a. When an appeal of NJP is forwarded to higher authority for decision, comply with JAGMAN sections 0116 and 0117 and, additionally, forward the SRB, the original UPB form, the summarization of proceedings, and all allied papers. After action on the appeal, the original of the appeal and all allied papers will be returned to the officer originating the UPB.

b. The Director, Recruiter School will forward all NJP appeals to the Commanding Officer, Headquarters and Service Battalion, MCRD, San Diego for decision.

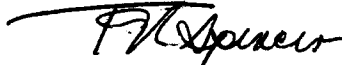
c. The Director, Drill Instructor School will forward all NJP appeals to the Commanding Officer, Support Battalion, MCRD, San Diego for decision.

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6. Command and Signal

a. Command. This Order contains major revisions and should be reviewed in its entirety.

b. Signal. This Order is effective on the date signed.



T. W. SPENCER
Chief of Staff

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